

the committee amendment. (Read Beutler amendment as found on page 545 of the Legislative Journal).

SPEAKER NICHOL: Senator Beutler

SENATOR BEUTLER: Mr. Speaker, members of the committee, I hope you will listen closely on this because I am sure there is going to be a substantial debate developing on this particular bill. On the one hand, of course, you have the rights of business people and the question of how much harm the state should be able to get away with doing to them in situations where they are repairing the streets and roads. On the other hand, you have the question of how much of a burden we should impose upon the state in constructing new roads which are primarily, of course, for the benefit of those who live along side of the roads. The committee amendment is a very reasonable change in the bill and I wanted to make one additional change to that committee amendment further limiting or making narrower the state's obligation or the obligations of the municipal subdivisions, and, remember, this bill applies not only to the state but to municipal subdivisions, counties, anybody that is doing any road construction. Now what the committee amendments said was that the state or the political subdivision had to ensure that there was reasonable accessibility, reasonable accessibility, and in determining what is reasonable, you apparently looked to the nature of the business because it also says "based on the nature of the business." My amendment would change that to eliminate that part that identifies the nature of the business, it eliminates that language about the nature of the business and then it changes "reasonable accessibility" to "ingress and egress, if reasonable." So that the way the amendment would read if you adopted my amendment is that the state or the political subdivision would have to ensure ingress and egress, if reasonable. A copy of that amendment should be on your desk. Okay, I also passed out to you the standards and specifications used for highway construction by the State Department of Roads, and if you will look at that, you will see that their operating principle right now, in terms of the directions that they give to contractors, is that the contractor shall provide, to the extent practicable, facilities for ingress and egress, and then you can read on as to some additional requirements they require of the contractor. My problem with the committee amendment, the way it is structured right now, is that it seems to me to